

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Clk. U.S. District Court  
Southern District of Texas  
FILED

MAR 28 2016

David J. Bradley, Clerk of Court

United States of America

v.

John Anthony PEREZ

Case No.

C-16-383M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 28, 2016 in the county of San Patricio in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

Title 18 United States Code,  
Section 2251

## Offense Description

employing, using, persuading, inducing, enticing, or coercing any minor to engage in, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer

This criminal complaint is based on these facts:

PLEASE SEE ATTACHED AFFIDAVIT

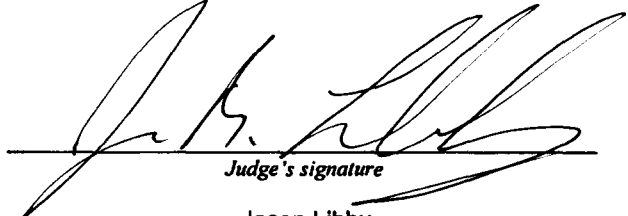
☒ Continued on the attached sheet.

Complainant's signature

Clay Odom

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/28/2016City and state: Corpus Christi, Texas

Judge's signature

Jason Libby

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

**AFFIDAVIT OF PROBABLE CAUSE**

I, Clay Odom, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with United States Department of Homeland Security, Homeland Security Investigations, and I have been employed in this position since October 2001. My responsibilities include investigating criminal violations relating to offenses committed against the United States including but not limited to, immigration violations, controlled substances violations, financial crimes, fraud, and child pornography.

2. This affidavit is intended to show only that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

3. On October 3, 2014, a resident of Robstown, Texas contacted the Robstown Police Department in order to report the theft of her computer. The complainant identified the device as a Dell Inspiron laptop and stated it was stolen during a residential burglary. The woman filed a police report with the Robstown Police documenting the crime and details of the stolen computer.

4. The owner of the Dell laptop computer had previously purchased a software program for the machine from Absolute DDS (Data and Device Security), AKA: Absolute LoJack. This software program allows the device's owner (or administrator) to manage the computer, and in the event the device is stolen the owner can utilize the software and Absolute's Services to locate and recover the property. If the device is stolen and a police report is filed and provided to Absolute DDS, the Absolute software sends a command to the device when it connects to the internet, instructing the device to capture certain information from the computer in roughly 20-minute intervals. This captured information includes keystrokes typed into the keyboard of the device, screenshots of the information presented to the person using the device (as it is displayed on the computer screen), and a scan of the hard drive identifying the files created and stored on the computer. This information also includes the IP Address used by the device when it connects to the internet. All of this information is captured and automatically sent

to the Absolute Software Investigations Unit, who provide the information available to law enforcement agencies so the device can be located and recovered, and officers can attempt to identify the user(s) of the stolen device.

5. The owner of the Dell laptop forwarded a copy of the Robstown Police report to Absolute DDS, who then activated the software on the computer and began to obtain information transmitted from the device.

6. On October 2, 2015, the Absolute Software Monitoring Center began receiving information from the device, and the IP Address associated with the internet connection was identified as 96.18.22.247.

7. On October 2, 2015, Absolute DDS received information from the device revealing that the device's user logged into Facebook and the profile was for a young female who resides in Aransas Pass, Texas. According to information posted on the Facebook account, the parents of the young girl were identified by name.

8. On October 12, 2015, information captured from the device revealed the user was typing or pasting links to web pages on the internet to include, <https://jblover.us>. It is believed that "jb" refers to the term "jail bait", or underage children, and is a common term associated with individuals who are sexually interested in children.

9. On November 14, 2015, information captured from the device revealed the user was viewing a cartoon image which included text describing a girl engaging in anal sex with her father in the shower.

10. Absolute received information from the device from November 13, 2015 to November 15, 2015, showing the Global Positioning System coordinates of the location of the computer. The GPS coordinates placed the device on the property belonging to John PEREZ.

11. On January 12, 2016, information captured from the device revealed the user was utilizing Windows Internet Explorer to search for "toddlercon" and "lolis". The information also shows the user searching a file-sharing program called RGhost for "kid sex", "loli", "toddlercon", "anal", and "preteen".

12. On January 23, 2016, a user logged into Craigslist.org using the email address jp4ys@yahoo.com and created a post for the Corpus Christi area looking for PlayStation 2 video games.

13. On January 24, 2016, information captured from the device revealed the user was searching RGhost file-sharing program for "child", "rape", "pthc", "two sisters and a father-incest video", "incest", "preteen", and "toddler".

14. In addition to the user activities listed above, information transmitted from the device to the Absolute Software Monitoring Center included images depicting the sexual abuse of children, to include oral, vaginal, and anal sex between adult men and infants and toddlers.

15. According to the times and dates displayed on the computer screen at the time the screenshots were captured, the user was viewing images and videos of child pornography on various days during the months of October 2015 and November 2015.

16. The screenshots reveal the user had plugged an SD Card into the computer and accessed the child pornography from that portable external memory device. According to the file structure visible in the screenshots, the SD Card appears to be associated with a cellular telephone utilizing an Android Operating System.

17. Representatives from Absolute DDS forwarded approximately 20 images of child pornography captured from screenshots transmitted from the computer to the National Center for Missing and Exploited Children (NCMEC).

18. Robstown Police Officers contacted Aransas Pass Police Detectives and advised them of the location of the stolen computer, as well as the user activity revealed in the screenshots transmitted to Absolute DDS. Robstown Police also contacted US Deputy Marshals from the Corpus Christi field office and advised them of the computer and child pornography.

19. In March 2016, US Deputy Marshal Alfredo Lujan contacted United States Homeland Security Investigations (HSI) Special Agent (SA) Clay Odom from the Corpus Christi office and advised him of these facts. Deputy Lujan provided SA Odom with the Absolute DDS

Investigative Summary, detailing the theft of the computer and user activity transmitted from the device to the Absolute Software Monitoring Center.

20. SA Odom contacted Absolute DDS representatives and learned that as of March 21, 2016 the device was still transmitting an IP Address associated with the internet connections. SA Odom learned that the IP Address associated with the device's connection to the internet has not changed since October 17, 2015, and has remained 96.18.22.247. SA Odom also learned that the Absolute Software Monitoring Center also received additional screenshots transmitted from the stolen computer as of March 21, 2016, and these screenshots contain images of child pornography.

21. SA Odom contacted NCMEC and requested all images of child pornography submitted by Absolute DDS which were transmitted from the stolen Dell laptop computer. On March 17, 2016, SA Odom received copies of the screenshots which contained images of child pornography from NCMEC. SA Odom reviewed a total of 39 images, all of which depicted images of child pornography, to include oral, vaginal, and anal sex between adult males and prepubescent females. The children in the images appear to range in age from infants to preteen girls.

22. On March 24, 2016, HSI Special Agent Clay Odom obtained a search warrant for the residence belonging to John PEREZ in the Southern District of Texas, Corpus Christi Division. On March 28, 2016, at approximately 5:15am, HSI Special Agents, Detectives with the Corpus Christi Police Department Internet Crimes Against Children, and the Aransas Pass Police Department, executed the search warrant. Agents knocked on the front door and were met by John PEREZ. Agents entered the residence and found PEREZ' wife and three minor daughters inside. SA Odom explained the reason agents were at his home and asked PEREZ if he would be willing to voluntarily accompany investigators to the Aransas Pass Police Department so they could speak to him. PEREZ stated he was willing to voluntarily accompany agents to the police department and speak with them about the investigation.

23. SA Odom, SA Heath Hardwick, and PEREZ departed the residence and drove to the station. PEREZ was read his Miranda Warnings in the English Language. He stated he

understood his rights and agreed to speak to investigators. During the interview, PEREZ admitted to using the Dell laptop computer found in his home to search for and download images and videos of child pornography. He stated he initially used the internet to search for "anime porn" cartoons, some of which depicted sex acts between adults and minors. He stated he was initially exposed to the anime cartoons while stationed in Japan with the U.S. Military. He stated his curiosity led him from the anime cartoons to images and videos of real children being sexually abused.

24. PEREZ stated he downloaded and stored the images and videos of child pornography on SD Cards which were located near the Dell laptop in the home. Agents then presented PEREZ with images showing the screen shots transmitted to Absolute from the stolen Dell computer. Agents asked PEREZ if he would confirm the images were the pictures he had previously downloaded and viewed. PEREZ looked at the images and stated they were all images he had previously seen on his computer.

25. PEREZ then admitted that two of the images presented to him were images from a video he produced of his 9-year old daughter. The pictures he identified as his daughter depict a minor female performing oral sex on an adult male, and PEREZ stated he used a blue camera in the house to videotape the sexual abuse of the girl. PEREZ also stated the SD Cards contained videos and images he produced using the camera, showing him engaging in sex acts with all three of his minor daughters. He stated he has been sexually abusing his three children for approximately three years, but denied ever sharing the images and videos he produced with anyone. PEREZ stated the last sexual contact he engaged in with his daughters was on Sunday, March 27, 2016.

26. During the search of the residence, agents located the Dell laptop computer, numerous external memory devices, including SD Cards, and a blue Olympus camera. Forensic analysis of the memory cards revealed sexually explicit images of all three minor girls, including images of the girls engaging in sex acts. The SD Cards found at the residence that contained the images of child pornography were all manufactured in foreign countries, and the blue camera was manufactured in Vietnam. The interview was then terminated.

27. HSI Special Agents then contacted Assistant United States Attorney (AUSA) Hugo Martinez and advised him of these facts. AUSA Martinez accepted prosecution of John Anthony PEREZ for a violation of Title 18 USC 2251, Production of Child Pornography. AUSA Martinez also approved the filing of this complaint in the Southern District of Texas.

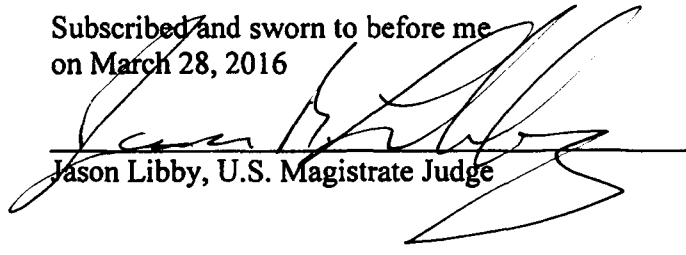
Respectfully submitted,



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Clay Odom  
Special Agent  
U.S. Department of Homeland Security

Subscribed and sworn to before me  
on March 28, 2016



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Jason Libby, U.S. Magistrate Judge